

NORTH CAROLINA

WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
12G0967

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IN THE MATTER OF

Ronald E. Cooley,  
ATTORNEY AT LAW

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CENSURE

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On January 23, 2014, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by J. D.

Pursuant to section .0113(a) of the Discipline and Disability Rules of the North Carolina State Bar, the Grievance Committee conducted a preliminary hearing. After considering the information available to it, including your response to the letter of notice, the Grievance Committee found probable cause. Probable cause is defined in the rules as "reasonable cause to believe that a member of the North Carolina State Bar is guilty of misconduct justifying disciplinary action."

The rules provide that after a finding of probable cause, the Grievance Committee may determine that the filing of a complaint and a hearing before the Disciplinary Hearing Commission are not required and the Grievance Committee may issue various levels of discipline depending upon the misconduct, the actual or potential injury caused, and any aggravating or mitigating factors. The Grievance Committee may issue an admonition, a reprimand, or a censure.

A censure is a written form of discipline more serious than a reprimand, issued in cases in which an attorney has violated one or more provisions of the Rules of Professional Conduct and has caused significant harm or potential significant harm to a client, the administration of justice, the profession or a member of the public, but the misconduct does not require suspension of the attorney's license.

The Grievance Committee believes that a hearing before the Disciplinary Hearing Commission is not required in this case and issues this censure to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this censure.

You represented JD in a foreclosure action. You failed to attend a deposition in violation of Rule 1.3. You failed to communicate with your client about the opposing party's discovery requests in violation of Rule 1.4. You failed to make a diligent effort to comply with discovery requests by simply claiming your client was blind rather than attempting to accommodate his supposed disability in violation of Rule 3.4(d)(2).

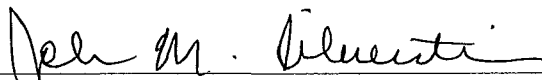
After having your client serve an opposing party, you failed to ensure service was properly completed and failed to keep track of the matter until it was dismissed for improper service. This lack of attention to the matter and lack of diligence violated both Rules 1.1 and 1.3.

You made a false statement to your client when you wrote that Rules of Professional Conduct "do not allow [you] to remain as [your client's] attorney with (sic) there is an unpaid bill." This statement is a violation of Rule 8.4(c).

You are hereby censured by the North Carolina State Bar for your violation of the Rules of Professional Conduct. The Grievance Committee trusts that you will ponder this censure, recognize the error that you have made, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession. This censure should serve as a strong reminder and inducement for you to weigh carefully in the future your responsibility to the public, your clients, your fellow attorneys and the courts, to the end that you demean yourself as a respected member of the legal profession whose conduct may be relied upon without question.

In accordance with the policy adopted July 23, 2010 by the Council of the North Carolina State Bar regarding the taxing of administrative fees and investigative costs to any attorney issued a censure by the Grievance Committee, an administrative fee in the amount of \$350.00 is hereby taxed to you.

Done and ordered, this 24th day of FEBRUARY, 2014.

  
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John M. Silverstein, Chair  
Grievance Committee  
The North Carolina State Bar